

United States District Court

E-filing

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION

FILED

NOV 18 2008 PM 2:46

U.S. DISTRICT COURT
SAN FRANCISCO
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MHP

UNITED STATES OF AMERICA,

v.


JAMES MICHAEL BURGE

DEFENDANT.

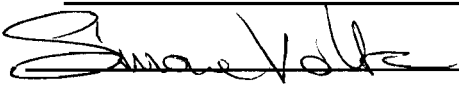
INDICTMENT

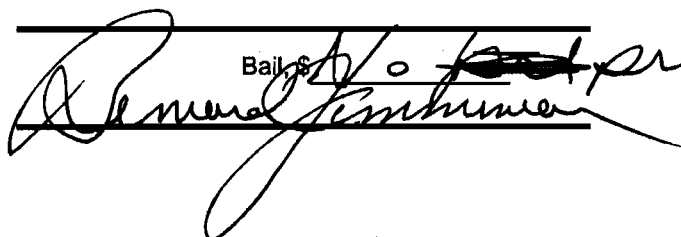
Title 18, U.S.C. § 2113(a) - Bank Robbery
(Nine Counts)

A true bill.


Foreman

Filed in open court this _____ day of _____


Clerk

Bail \$ 10,000 ~~per process~~


AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDINGName of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**OFFENSE CHARGED**

18 U.S.C. 2113(a) Bank Robbery

E-filing☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**

20 years imprisonment, \$250,000 fine, 3 years supervised release, \$100 special assessment

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI, Special Agent Brian Guy

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

CR 3-08-70181

Name and Office of Person

Furnishing Information on
THIS FORM Joseph P. Russoniello☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

Owen P. Martikan

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

DEFENDANT

JAMES MICHAEL BURGE

DISTRICT COURT NUMBER

CR 08**0830****DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

4/24/2008

☐ This report amends AO 257 previously submitted

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED ORIGINAL

08 NOV 18 PM 2:46

RICHARD W. WIEGAND
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES MICHAEL BURGE,

Defendant.

Criminal No.:

08 08

0830

VIOLATION: 18 U.S.C. § 2113(a) -- Bank
Robbery (Nine Counts)

SAN FRANCISCO VENUE

MHP

INDICTMENT

The Grand Jury charges:

COUNT ONE: 18 U.S.C. § 2113(a) – Bank Robbery

On or about November 5, 2007, in the Northern District of California, the defendant,
JAMES MICHAEL BURGE,
by force, violence, and intimidation, did take from the person and presence of another,
approximately \$4,030 belonging to and in the care, custody, control, management, and
possession of the Trans Pacific National Bank, a bank whose deposits were then insured by the

INDICTMENT

1 Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section
2 2113(a).

3
4 COUNT TWO: 18 U.S.C. § 2113(a) – Bank Robbery

5 On or about November 20, 2007, in the Northern District of California, the defendant,
6 JAMES MICHAEL BURGE,
7 by force, violence, and intimidation, did take from the person and presence of another,
8 approximately \$2,111 belonging to and in the care, custody, control, management, and
9 possession of the Bank of the West, a bank whose deposits were then insured by the Federal
10 Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

11
12 COUNT THREE: 18 U.S.C. § 2113(a) – Bank Robbery

13 On or about November 29, 2007, in the Northern District of California, the defendant,
14 JAMES MICHAEL BURGE,
15 by force, violence, and intimidation, did take from the person and presence of another,
16 approximately \$3,420 belonging to and in the care, custody, control, management, and
17 possession of Wells Fargo Bank, a bank whose deposits were then insured by the Federal Deposit
18 Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

19
20 COUNT FOUR: 18 U.S.C. § 2113(a) – Bank Robbery

21 On or about February 9, 2008, in the Northern District of California, the defendant,
22 JAMES MICHAEL BURGE,
23 by force, violence, and intimidation, did take from the person and presence of another,
24 approximately \$6,782 belonging to and in the care, custody, control, management, and
25 possession of U.S. Bank, a bank whose deposits were then insured by the Federal Deposit
26 Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

1 COUNT FIVE: 18 U.S.C. § 2113(a) – Bank Robbery

2 On or about February 28, 2008, in the Northern District of California, the defendant,
3 JAMES MICHAEL BURGE,
4 by force, violence, and intimidation, did take from the person and presence of another,
5 approximately \$3,064 belonging to and in the care, custody, control, management, and
6 possession of the Bank of America, a bank whose deposits were then insured by the Federal
7 Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).
8

9 COUNT SIX: 18 U.S.C. § 2113(a) – Bank Robbery

10 On or about March 3, 2008, in the Northern District of California, the defendant,
11 JAMES MICHAEL BURGE,
12 by force, violence, and intimidation, did take from the person and presence of another,
13 approximately \$2,565 belonging to and in the care, custody, control, management, and
14 possession of U.S. Bank, a bank whose deposits were then insured by the Federal Deposit
15 Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).
16

17 COUNT SEVEN: 18 U.S.C. § 2113(a) – Bank Robbery

18 On or about March 10, 2008, in the Northern District of California, the defendant,
19 JAMES MICHAEL BURGE,
20 by force, violence, and intimidation, did take from the person and presence of another,
21 approximately \$2,450 belonging to and in the care, custody, control, management, and
22 possession of the Bank of America, a bank whose deposits were then insured by the Federal
23 Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).
24

25 COUNT EIGHT: 18 U.S.C. § 2113(a) – Bank Robbery

26 On or about March 18, 2008, in the Northern District of California, the defendant,
27 JAMES MICHAEL BURGE,
28 by force, violence, and intimidation, did take from the person and presence of another,

1 approximately \$2,120 belonging to and in the care, custody, control, management, and
 2 possession of the Bank of America, a bank whose deposits were then insured by the Federal
 3 Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

4
 5 COUNT NINE: 18 U.S.C. § 2113(a) – Bank Robbery

6 On or about March 22, 2008, in the Northern District of California, the defendant,
 7 JAMES MICHAEL BURGE,
 8 by force, violence, and intimidation, did take from the person and presence of another,
 9 approximately \$4,399 belonging to and in the care, custody, control, management, and
 10 possession of Wells Fargo Bank, a bank whose deposits were then insured by the Federal Deposit
 11 Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

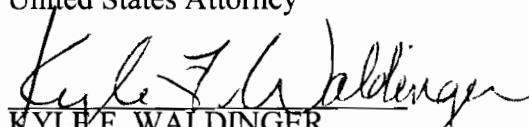
12
 13
 14 DATED:


A TRUE BILL.

15 11/18/08

16 
 FOREPERSON

17 JOSEPH P. RUSSONIELLO
 United States Attorney

18 
 19 KYLE F. WALDINGER
 20 Deputy Chief, Major Crimes Section

21
 22 (Approved as to form: 
 23 AUSA MARTIKAN
 24
 25
 26
 27
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